



Senate

General Assembly

File No. 209

February Session, 2018

Substitute Senate Bill No. 221

Senate, April 4, 2018

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist. and SEN. GUGLIELMO of the 35th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT INCREASING THE FINE FOR FAILING TO MOVE OVER FOR AN EMERGENCY VEHICLE AND INJURING THE OPERATOR OF THE EMERGENCY VEHICLE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-283b of the 2018 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2018*):

4 (a) For the purpose of this section "emergency vehicle" means any
5 vehicle with activated flashing lights (1) operated by a member of an
6 emergency medical service organization responding to an emergency
7 call, (2) operated by a fire department or by any officer of a fire
8 department responding to a fire or other emergency, (3) operated by a
9 police officer, (4) that is a maintenance vehicle, as defined in section 14-
10 1, or (5) that is a wrecker, as defined in section 14-1, "police officer" has
11 the meaning set forth in section 7-294a, [and] "highway" has the
12 meaning set forth in section 14-1, provided such highway has two or

13 more travel lanes that proceed in the same direction, and "physical
14 injury" and "serious physical injury" have the meaning set forth in
15 section 53a-3.

16 (b) Any operator of a motor vehicle on a highway when
17 approaching one or more emergency vehicles that are stationary or
18 traveling significantly below the posted speed limit and located on the
19 shoulder, lane or breakdown lane of such highway shall (1)
20 immediately reduce speed to a reasonable level below the posted
21 speed limit, and (2) if traveling in the lane adjacent to the shoulder,
22 lane or breakdown lane containing such emergency vehicle, move such
23 motor vehicle over one lane, unless such movement would be
24 unreasonable or unsafe.

25 (c) Any operator of a motor vehicle on a highway when
26 approaching one or more nonemergency vehicles that are stationary
27 and located on the shoulder, lane or breakdown lane of such highway
28 shall, if traveling in the lane adjacent to the shoulder, lane or
29 breakdown lane containing such nonemergency vehicle, move such
30 motor vehicle over one lane, unless such movement would be
31 unreasonable or unsafe.

32 (d) (1) Any person who violates the provisions of subsection (b) of
33 this section shall have committed an infraction, except that (A) if such
34 violation results in the physical injury of the operator of an emergency
35 vehicle, such person shall be fined not more than two thousand five
36 hundred dollars, [and,] (B) if such violation results in the serious
37 physical injury of the operator of an emergency vehicle, such person
38 shall be fined not more than five thousand dollars, or (C) if such
39 violation results in the death of the operator of an emergency vehicle,
40 such person shall be fined not more than ten thousand dollars.

41 (2) Any person who violates the provisions of subsection (c) of this
42 section shall have committed an infraction.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2018</i>	14-283b
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PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill specifies a higher fine of \$5,000 for violations that result in a serious physical injury. To the extent that the higher amount is levied (in current law the fine is \$2,500), the bill results in potential revenue gain.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 221*****AN ACT INCREASING THE FINE FOR FAILING TO MOVE OVER FOR AN EMERGENCY VEHICLE AND INJURING THE OPERATOR OF THE EMERGENCY VEHICLE.*****SUMMARY**

This bill increases the maximum fine, from \$2,500 to \$5,000, that can be levied against motorists for seriously injuring emergency response personnel (i.e., medical, fire, police, maintenance, and towers) operating emergency vehicles.

Under current law, causing the injury of an emergency vehicle operator incurs a fine of not more than \$2,500. The bill replaces “injury” with the term “physical injury,” and adds a second injury type, “serious physical injury.” The maximum fines for the two types of injuries are \$2,500 and \$5,000, respectively. The bill defines (1) physical injury as an impairment of physical condition or pain and (2) serious physical injury as a physical injury that creates a substantial risk of death, or which causes serious disfigurement, serious health impairment, or serious loss or impairment of a bodily organ’s function (CGS §§ 53a-3(3) & (4)).

The bill does not change the maximum fine for causing the death of an emergency vehicle operator, which remains at \$10,000.

A motorist is subject to the fines when the injury or death results from his or her failure to comply with existing statutory requirements. By law, motorists approaching an emergency vehicle on a highway with two or more travel lanes that proceed in the same direction must (1) immediately slow to a reasonable speed below the posted speed limit and (2) if traveling in the lane adjacent to the emergency vehicle, move over one lane, unless it would be unreasonable or unsafe to do

so.

For these requirements to apply, the emergency vehicle must:

1. have flashing lights activated;
2. be stationary or traveling significantly below the posted speed limit; and
3. be located on the travel lane, breakdown lane, or shoulder of the highway.

EFFECTIVE DATE: October 1, 2018

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/16/2018)